



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,493	08/20/2001	Stefan M. van den Oord	MOBJ-01000US0	6164

23910 7590 10/21/2004

FLIESLER MEYER, LLP  
FOUR EMBARCADERO CENTER  
SUITE 400  
SAN FRANCISCO, CA 94111

EXAMINER

BURGESS, BARBARA N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/933,493

Applicant(s)

VAN DEN OORD ET AL.

Examiner

Barbara N Burgess

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11-15-02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purcell (US 2001/0013038 A1) in view of Hughes et al. (hereinafter "Hughes", US 2003/0195876 A1).

As per claims 1, 19-24, Purcell discloses a system and user interface mechanism for session based retrieval and at a client system of content from a server system, said server system serving a string based content, said string based content including a plurality of strings, comprising:

- a communication protocol that provides a session based connection between a client system and a server system, and allows said client system to query said server system for content (paragraphs [0011], [0019], [0028]);

- a client object, in communication with a client software at said client system, said client object capable of transmitting to a server object a plurality of queries to retrieve content from said content engine, wherein each of said plurality of queries

Art Unit: 2157

comprises a single string character, and wherein each subsequent of said plurality of queries extend the query (paragraphs [0029]-[0030], [0034]-[0035]);

a server object, in communication with a server software at said server system, said server object furthermore in communication with said client object via said communication protocol and in response to each of said queries returns increasingly appropriate content information to the client object as the query is being extended (paragraphs [0022], [0024], [0030], [0034]-[0036]).

Purcell does not explicitly disclose:

server object records each of said plurality of queries.

However, in an analogous art, Hughes discloses a server database that stores query records (paragraphs [0012]-[0013], [0030], [0039], [0049])

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate recording queries in Purcell's system in order for the user to have access to past queries made.

As per claim 2, Purcell discloses the system of claim 1 wherein said client software operates on or at a first computer and said server software operates on or at a second computer, and wherein both of said first and said second computers are connected via a communication network protocol (paragraphs [0018]-[0019], [0022], [0024]).

Art Unit: 2157

As per claim 3, Purcell discloses the system of claim 1 wherein said server software and said client software runs on the same computer (paragraph [0024]).

As per claim 4, Purcell discloses the system of claim 1 wherein said server software runs on a plurality of separate computers, and wherein said client queries are distributed over said separate servers (paragraph [0029]-[0030]).

As per claim 5, Purcell discloses the system of claim 1.

Purcell does not explicitly disclose:

wherein said server software stores previously used strings and returns said stored strings to the client in response to new client queries, without accessing said content engine.

However, in an analogous art, Hughes discloses a server database that stores query records (paragraphs [0012]-[0013], [0030], [0039], [0049])

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate storing previously used strings in Purcell's system in order for the user to have access to past queries made.

As per claims 6 and 25, Purcell further discloses the system and mechanism of claims 1 and 24 wherein said client software is embedded into a software application that provides a visual interface to an operator (paragraphs [0018], [0036]).

Art Unit: 2157

As per claim 7, Purcell discloses the system of claim 1 wherein said client software is used as a content engine for another software system (paragraphs [0029]-[0030], [0034]-[0035]).

As per claim 8, Purcell discloses the system of claim 1 wherein said client software accumulates a plurality of said single character queries as they are entered into the client, before sending them together to said server software as a string (paragraph [0034]).

As per claims 9 and 10, Purcell discloses the system of claim 1 wherein said client software stores previously received responses and uses these as the response to a new query by the user, without reassessing the server (paragraphs [0036]-[0037]).

As per claims 11 and 13, Purcell discloses the system of claim 1.

Purcell does not explicitly disclose wherein said server software stores the state of query and response of the client software, and restores the state of the client software after any interruption in said communication protocol.

However, in an analogous art, Hughes discloses a server database that stores query records (paragraphs [0012]-[0013], [0030], [0039], [0049]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate storing queries and responses in Purcell's system in order for the user to have access to past queries made

As per claim 12, Purcell discloses the system of claim 1 where said client software adds a qualifier to the query that is passed to the content engine by the server, whereby the content engine can use said qualifier to execute the query and return appropriate results based on both the query string and its qualifier (paragraphs [0038]-[0039]).

As per claim 14, Purcell discloses the system of claim 1 where said server software is distributed within a server tier and a syndication tier, and wherein said client software communicates to the server tier on a single computer, and wherein each query is forwarded by the server tier to an appropriate syndicate of content channels connected to the server tier on a different computer (paragraph [0029]).

As per claim 15, Purcell discloses the system of claim 1 where said server software applies a content engine dependent pattern and filter to characters received from the client before queries are transmitted to the content engine (paragraph [0041]).

As per claim 16, Purcell discloses the system of claim 15 wherein the number of queries transmitted to the content engine is limited (paragraph [0036]).

As per claims 17-18, Purcell further discloses the system of claim 1 where server responses comprise lists of strings, wherein each string is accompanied by

Art Unit: 2157

corresponding metadata, whereby the metadata contains logical links to other data sources or Uniform Resource Identifiers (paragraph [0029]).

As per claim 25, Purcell discloses the mechanism of claim 24, wherein said user interface element is an application input field.

As per claims 26-27, Purcell discloses the mechanism of claim 24, wherein said session indicator displays a triangular display element to indicate the presence of said session, and does not display said triangular display element to indicate the absence of said session (paragraphs [0034]-[0036]).

### **Conclusion**

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,772,194 B1

US Patent No. 6,430,558 B1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (703) 305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

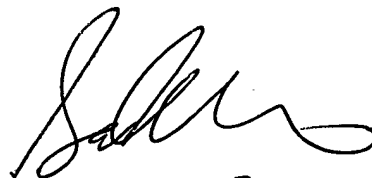


Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess Examiner

Art Unit 2157

A handwritten signature in black ink, appearing to read 'Saleh Najjar', with a stylized, flowing script.

**SALEH NAJJAR  
PRIMARY EXAMINER**